

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.4541 of 2017 (O&M)

Date of Decision: 19.7.2017

Ramdhan

... Petitioner

Versus

Pohap Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms.Monisha Lamba, Advocate for the petitioner

RAJIV NARAIN RAINA, J. (Oral)

This revision petition has been filed against the order dated 16th January, 2017 (Annex. P-3) passed by the Civil Judge (Senior Division), Gurgaon by which the evidence of the petitioner has been closed in a suit for declaration and permanent injunction filed by the petitioner. Learned counsel for the petitioner contends that one effective opportunity to lead entire evidence be granted to the petitioner and the petitioner is ready to compensate the respondents.

In view of the above, this petition is disposed of with a direction to the trial court to grant the petitioner/plaintiff one more effective opportunity to conclude his entire evidence on the next date fixed by the trial court i.e. 20.7.2017, subject to payment of costs of Rs.25,000/- to be equally shared by each of the respondents. If costs are paid on the said date, then permission to examine the witnesses will be granted by the trial court. Witnesses be produced on plaintiff's own risk and responsibility. Accordingly, the impugned order dated 16th January, 2017 (Annex. P-3) is set aside, subject to above directions, even though there is nothing wrong in the successive orders passed by the trial court. The purpose of this order is only to

avoid injustice as perceived by the plaintiff.

Copy of this order be given dasti to the learned counsel for
the petitioner duly attested by the Bench Secretary of this Court.

19.7.2017
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reporable?

Yes/No